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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

STATE OF ALASKA,)
)
Plaintiff,)
)
v.)
)
UNITED STATES OF AMERICA, et al.,)
) Case No. A05-073 CV
Defendants.) (RRB)

STIPULATION TO DISMISS CLAIMS AGAINST
DEFENDANT JACK McMANUS

Plaintiff State of Alaska and Defendant Jack McManus stipulate to dismiss with prejudice all claims against Jack McManus based on the following:

1. On April 11, 2005, the State filed this action seeking declaratory relief and to quiet title to what are commonly called the “Coldfoot to Chandalar Lake Trail” (designated as “RST 9” in the State’s RS 2477 inventory) and the “Caro to Coldfoot Trail” (designated as “RST 262” in the State’s RS 2477 inventory), and asserting that

these trails are public rights-of-way granted by the United States to the State pursuant to R.S. 2477.

2. The State's complaint named Jack McManus as a defendant , asserting that RST 9; the Coldfoot to Chandalar Lake Trail, crosses USS 4096, a parcel of land owned by Mr. McManus. In his answer, Mr. McManus denied the claim.

3. On May 2, 2006, Mr. McManus recorded a plat to subdivide USS 4096, Plat 2006-78, that dedicates 60 foot wide public access easements through the property. The State approved the Plat on April 27, 2006. Note 9 on Plat 2006-78 states:

The State of Alaska asserts a highway right-of-way through this subdivision under former 43 U.S.C. 932 (R.S. 2477) in *State of Alaska v. United States, et al.*, A 05-0073 CV (RRB), identified by the Department of Natural Resources as "RST 9". Pursuant to 11 AAC 51.065(k), RST 9 is realigned within the subdivision to be within the 60 foot public access easements depicted on this subdivision plat.

A copy of Plat 2006-78 is attached.

4. Based on the easements dedicated on Plat 2006-78, the State and Mr. McManus agree to the dismissal of all claims in this case against Mr. McManus with prejudice. Each party will bear its own costs and attorneys' fees.

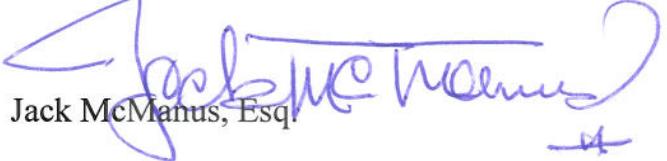
Dated: 6-5-06

By:


Elizabeth J. Barry
Chief Assistant Attorney General
Natural Resources Section

Dated: May 26 2006

By:


Jack McManus, Esq.